

Filed for intro on 01/20/2000  
SENATE BILL 2910 By  
Clabough

HOUSE BILL 2471  
By Wood

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5,  
Part 1, relative to the TennCare program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by  
adding the following as a new section:

(--)(a) A person commits an offense who, knowingly, obtains, or attempts to  
obtain, or aids or abets any person to obtain, by means of a willfully false statement,  
representation, or impersonation, or by any other fraudulent means or in any manner not  
authorized by this part, or by the regulations or procedures issued or implemented by the  
department pursuant to this part, medical assistance or any assistance provided  
pursuant to the part, to which such person is not entitled, or of a greater value than that  
to which such person is authorized.

(b) An offense under this section is a Class E felony.

(c) In addition to the foregoing penalty, the court may order that any such person  
be disqualified from participation in the medical assistance program, as an enrollee or  
provider, for a period of twelve (12) months for a first offense, twenty-four (24) months  
for a second offense, and permanently for a subsequent offense. The court may also

order restitution in the total amount of all payments for medical assistance for such person and all capitation payments to the managed care entity related to services for such person.

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) A person commits an offense who provides a willfully false statement regarding another's medical condition or eligibility for insurance, to aid or abet another in obtaining or attempting to obtain medical assistance or any assistance provided under this part to which the person is not entitled or to a greater value than that to which such person is authorized.

(b) An offense under this section is a Class E felony.

(c)(1) In addition to the foregoing penalty, the court shall order restitution in the total amount of all payments for medical assistance for such person and all payments to the managed care entity related to services for such person.

(2) In addition to the foregoing penalties, the court shall report the person or entity to the appropriate professional licensure board or the department of commerce and insurance for disciplinary action.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.